

Message Text

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ACTION ACDA-10

INFO OCT-01 AF-04 EUR-08 EA-06 IO-04 ISO-00 OES-03 FEA-01

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PA-01 PM-03 PRS-01 SAJ-01 SAM-01 SP-02 SS-15 USIA-06

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 5186

INFO AEC GERMANTOWN

USMISSION BERLIN

AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS UNN

AMEMBASSY CANBERRA

AMCONSUL CAPETOWN

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

USMISSION GENEVA

AMEMBASSY THE HAGUE

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY MOSCOW

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY PRETORIA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

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C O N F I D E N T I A L SECTION 1 OF 2 IAEA VIENNA 8949

E.O. 11652: GDS
TAGS: PARM TECH IAEA
SUBJECT: NPT EXPORTERS COMMITTEE

CAPETOWN FOR EMBASSY

1. MINUTES OF MEETING OF SUBJECT COMMITTEE SEPTEMBER
24-25 BEING TRANSMITTED DEPT. AND AEC BY AIRGRAM.

2. FOLLOWING ARE HIGHLIGHTS OF MEETING, FOR INFO ALL
ADDRESSEES.

3. AMB. BOLT OF NEW ZEALAND IN LETTER OF SEPT. 20 TO
SECRETARY OF COMMITTEE REFERRED TO FACT THAT HIS COUNTRY
WAS NOT AT PRESENT IN POSITION TO SUPPLY MATERIALS OR
EQUIPMENT OF KIND DISCUSSED BY COMMITTEE. SINCE COMMITTEE
HAD IN EFFECT COMPLETED ITS TASKS AND IS LIKELY TO BE
ABSORBED WITHIN BODY HAVING DIFFERENT MEMBERSHIP AND TASKS,
IT APPEARED THAT "UNNECESSARY DIFFICULTIES MIGHT BE RAISED
IN NEW ZEALAND WERE TO ACCEPT MEMBERSHIP OF THE COMMITTEE
AT THIS LATE STAGE." LETTER ADDS THAT DECISION IN NO WAY
IMPLIES ANY LACK OF SYMPATHY TO COMMITTEE'S OBJECTIVES,
THAT COMMITTEE'S SUCCESS IS GREETED WITH MARKED SATISFACTION,
THAT IF TERMS AND MEMBERSHIP OF SUCCESSOR BODY PERMIT NEW
ZELAND MEMBERSHIP, AN INVITATION WOULD BE FAVORABLY
RECEIVED AND THAT NEW ZEALAND WOULD WISH TO "COOPERATE
WITH MEMBERS OF COMMITTEE AND OTHERS IN IMPLEMENTATION OF
AGREED SAFEGUARD MEASURES."

4. PROCEDURES TO BE PROPOSED FOR EXCHANGE OF DIPLOMATIC
NOTES BY EACH GOVERNMENT WITH GDR AND POLAND (IN LIGHT OF
THEIR RESPECTIVE PUBLIC ANNOUNCEMENTS, DURING SEPTEMBER
IAEA GENERAL CONFERENCE, OF INTENTION TO ACT IN ACCORDANCE
WITH COMMITTEE'S MEMORANDA) WERE AGREED. THOSE PROCEDURES
WOULD BE SIMILAR TO THOSE PREVIOUSLY WORKED OUT FOR EXCHANGES
OF NOTES WITH USSR; NAMELY, THAT JACKSON, ACTING AS UK
RES REP, WOULD PROVIDE RESPECTIVE RES REPS WITH TEXTS OF
"UNEXPURGATED" MEMORANDA, GDR AND POLISH RES REPS WOULD
PROVIDE JACKSON WITH TEXTS OF THEIR MEMORANDA, WHICH
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WOULD BE MODELLED CLOSELY TO THOSE OF USSR. THEREAFTER,
DATE WILL BE AGREED FOR SIMULTANEOUS EXCHANGE OF NOTES
BETWEEN GDR, POLAND AND OTHER GOVERNMENTS. COMMENT: IT
IS ASSUMED THAT SAME PROCEDURE WOULD BE FOLLOWED IN
EVENT EXPECTED CSSR ADHERENCE TO GROUP. SUBSEQUENT TO
MEETING, JACKSON MET WITH GDR RES REP, PROVIDED TEXTS
AND SUGGESTED NOVEMBER 29 FOR EXCHANGE OF NOTES, ON
ASSUMPTION THAT GDR WOULD PROVIDE TEXTS ITS MEMORANDA BY

ABOUT OCTOBER 25. JACKSON EXPECTED MAKE SIMILAR PROPOSAL TO POLAND. IN RELATED DEVELOPMENT, IAEA DIR GEN INFORMED ALL MEMBERS OF IAEA (BY INFCIRC/209 ADD. 1, DTD OCT. 3, 1974) THAT HE HAD RECEIVED COMMUNICATIONS FROM BOTH GDR AND POLAND, SIMILAR THOSE RECEIVED FROM OTHER GOVERNMENTS AS PUBLISHED IN INFCIRC/209.

5. ITALY INFORMED COMMITTEE IT HAD RECEIVED NOTES FROM AUSTRALIA, AUSTRIA, BELGIUM, CANADA, DENMARK, NORWAY, NETHERLANDS, SWEDEN, FRG AND UK. IDENTICAL RESPONSES HAD BEEN SENT BY ITALY; TEXT (TRANSLATION OF "NOTE VERBALE") HAD ALSO BEEN PROVIDED INFORMALLY TO ALL COMMITTEE MEMBERS. FULL TEXT TRANSLATION TRANSMITTED SEPTTEL ROME, EC BRUSSELS, DEPT AND AEC. IN SUMMARY, ITALY "ACCEPTS THE COMMITMENTS OF GENERAL CHARACTER CONTAINED IN THE TWO MEMORANDA" (FINAL "UNEXPURGATED" TEXTS) AND INTENDS TO ADAPT ITS INTERNAL REGULATIONS ACCORDINGLY, WITHOUT WAITING FOR ITS RATIFICATION OF NPT. BUT "THE ITALIAN GOVERNMENT HAS, ON THE OTHER HAND, EXPRESSED RESERVATIONS ABOUT THE PROVISIONS CONCERNING THE EXCHANGE OF INFORMATION AND IT IS OF THE OPINION THAT ANY INSTITUTIONALIZATION OF THE ZANGGER GROUP MUST BE AVOIDED." NOTE GOES ON TO QUOTE ITALIAN STATEMENT IN COMMITTEE MINUTES, SPECIFYING THOSE PARAGRAPHS OF MEMORANDA, RELATING PRIMARILY TO EXCHANGE OF INFORMATION CONCERNING ITEMS EXPORTED, WHICH ITALY WAS NOT RPT NOT PREPARED TO IMPLEMENT. COMMENT: IT WILL BE RECALLED THAT ITALY, FROM TIME TEXTS OF MEMORANDA WERE DEVELOPED MORE THAN TWO YEARS AGO, UNTIL JULY MEETING WHEN DATE WAS SET FOR EXCHANGE OF NOTES, HAD NOT RPT NOT INDICATED IT WAS UNWILLING TO IMPLEMENT THOSE PROVISIONS, BUT RATHER INSISTED, AT VIRTUALLY EVERY MEETING, THAT USSR MUST AGREE SPECIFICALLY TO IMPLEMENT THOSE VERY PROVISIONS. CONFIDENTIAL

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ONLY WHEN TEXT OF USSR'S MEMORANDA HAD BEEN WORKED OUT, WITH THOSE PROVISIONS INCLUDED WITHOUT CHANGE, DID ITALY REVEAL ITS UNWILLINGNESS TO ACCEPT THEM. IT IS THEREFORE CLEAR THAT ITALY HAD NEVER HAD ANY INTENTION TO ACCEPT COMMITTEES'S MEMORANDA, IN ENTIRETY, BUT CONCEALED ITS POSITION IN HOPE THAT USSR WOULD REFUSE TO ACCEPT PROVISIONS. MISSION HAS BEEN ASKED BY OTHER MISSIONS WHETHER USG INTENDS SEND NOTE, IN STANDARD FORM (TRANSMITTING "UNEXPURGATED" MEMORANDA) TO ITALY. FOR REASONS RELATED TO POSSIBLE MEMBERSHIP IN FUTURE GROUP, AS DISCUSSED BELOW, WE DO NOT RPT NOT RECOMMEND DOING SO.

6. PROF. ZANGGER, SPEAKING ON BEHALF OF SWITZERLAND, ADVISED THAT SWISS FOREIGN MINISTER HAD REQUESTED FEDERAL GOVERNMENT TO TAKE DECISION RE ADHERENCE TO MEMORANDA,

BUT THAT FOREIGN MINISTER HAD SUBSEQUENTLY SUFFERED ACCIDENT, FORCING DISCUSSION IN FEDERAL COUNCIL TO BE POSTPONED TO HOPEFULLY NOT-TOO-DISTANT FUTURE. MEANWHILE, SOME GOVERNMENTS (UNSPECIFIED) HAD SENT NOTES TO SWITZERLAND.

7. AMB. VON SCHIRNDING OF SOUTH AFRICA STATED THAT ATOMIC ENERGY BOARD WOULD CONSIDER QUESTION OF ADHERENCE TO MEMORANDA AT ITS NEXT MEETING, IN NOVEMBER, WHEREAFTER IT WOULD BE CONSIDERED BY GOVERNMENT.

8. SWEDISH AMB. PETRI INFORMED COMMITTEE THAT COMMUNICATION WOULD BE SENT TO IAEA DIR GEN (AS OTHERS HAD DONE, AS REPORTED IN INFCIRC/209) AS SOON AS NECESSARY LEGISLATIVE PROCESSES WERE COMPLETED.

9. REPS OF JAPAN, AUSTRIA AND SWITZERLAND STATED THAT THEIR RESPECTIVE POSITIONS RE COMMUNICATIONS TO DIR GEN

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C O N F I D E N T I A L SECTION 2 OF 2 IAEA VIENNA 8949

CAPETOWN FOR EMBASSY

REMAINED UNCHANGED. STATEMENT AT SEPTEMBER IAEA GEN CONF BY
BELGIUM OF INTENTION TO ADHERE TO MEMORANDA IN INFCIRC/209
WAS NOTED.

10. FUTURE OF COMMITTEE AND POSSIBLE SUCCESSOR GROUP WAS SUBJECT
OF EXTENSIVE AND COMPLEX DISCUSSION, WITH MANY MEMBERS UNWILLING
TO BURY PRESENT COMMITTEE UNTIL SUCCESSOR GROUP ACTUALLY IN OPER-
ATION UNDER CHARTER TO ADDRESS ALL RELEVANT TOPICS OF INTEREST TO
CERTAIN MEMBERS, INCLUDING SOME, SUCH AS SAFEGUARDS IN CONNECTION
EXPORTS OF TECHNOLOGY, WHICH PRESENT COMMITTEE HAD NOT IN PAST
BEEN WILLING DISCUSS. CANADA, IN FACT, DID NOT WISH RULE OUT
POSSIBILITY THAT BOTH AOLD AND NEW GROUPS WOULD EXIST, FOR PUR-
POSES OF DISCUSSING DIFFERENT SPECIFIC TOPICS RELATED TO EXPORTS.
SOME MEMBERS ATTEMPTED HAVE COMMITTEE ADOPT FIRM POSITION RE MEMBER-
SHIP OF SUCCESSOR GROUP, BUT US VIEW, WITH STRONG SUPPORT OF
BELGIUM, THAT SUCCESSOR GROUP WOULD HAVE TO DETERMINE ITS OWN
COMPOSITION, TERMS OF REFERENCE, ETC., PREVAILED. COMMENTS BY UK
AND SEVERAL OTHER EC MEMBERS (NOT INCLUDING BELGIUM) HAD ATTEMPTED
ASSURE THAT ITALY WOULD BE INCLUDED IN SUCCESSOR GROUP, ON BASIS OF
"NOTE VERBALE" GIVEN BY ITALY TO THOSE GOVERNMENTS FROM WHICH NOTES
HAD BEEN RECEIVED (SEE PARA 5 ABOVE). UK ALSO EXPRESSED HOPE
SWITZERLAND AND SOUTH AFRICA, NOTWITHSTANDING LACK OF POSITION ON
MEMORANDA, WOULD BE INCLUDED IN NEW GROUP. SOUTH AFRICA EXPRESSED
INTEREST IN ATTENDING AS OBSERVER. US TOOK POSITION THAT ONLY
THOSE GOVERNMENTS WHICH HAD EXCHANGED NOTES IN PRESCRIBED FORM,

UNDERTAKING TO IMPLEMENT MEMORANDA IN ENTIRETY, COULD EXPECT TO RECEIVE INITIAL INVITATION TO JOIN NEW GROUP; WHETHER ANY OTHERS WOULD BE INVITED, AND IN WHAT CAPACITY, REMAINED TO BE SEEN AND USSR AND OTHERS WOULD HAVE OWN VIEWS. COMMENT: WE EXPECT THIS ISSUE WILL BE RAISED AGAIN BY UK AND OTHERS AS TIME APPROACHES FOR NEW GROUP TO BE ORGANIZED. PROBLEM WILL BE SIMILAR TO ONE FORESEEN BY NEW ZEALAND (PARA 3 ABOVE); IF OTHERS TRY BRING INTO GROUP COUNTRIES WHICH HAVE NOT RPT NOT EXCHANGED STANDARD NOTES, WILL USSR AND EE'S INSIST UPON BRINGING EQUAL NUMBER THEIR FRIENDS IN?

11. COMMITTEE FINALLY AGREED ON FOLLOWING TEXT RE FUTURE:
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QUOTE:

1. THE ZANGGER COMMITTEE HAS SUCCESSFULLY COMPLETED ITS WORK.

2. THERE ARE IN EXISTENCE TWO GROUPS:

(A) THE GROUP OF THOSE COUNTRIES WHICH HAVE EXCHANGED NOTES;

(B) THE EXISTING ZANGGER COMMITTEE.

3. GROUP (A) ALREADY EXISTS BY REASON OF THE EXCHANGE OF NOTES, AND IS COMMITTED BY THE MEMORANDA TO:

1 EXCHANGE INFORMATION

11 PARTICIPATE IN THE 1976 REVIEW, AND

111 MEET "AT ANY TIME TO CONSIDER MATTERS ARISING FROM THESE UNDERSTANDING, INCLUDING THE CASE WHERE EXPORTING ACTION, ON THE PART OF A STATE NOT A MEMBER OF THE GROUP, UNACCOMPANIED BY A REQUIREMENT FOR CONCOMITANT SAFEGUARDS, THREATENS COMMERCIAL DISADVANTAGE TO A MEMBER OR MEMBERS OF THE GROUP."
WHETHER THIS GROUP DEVELOPS A GREATER MEASURE OF CORPORATE EXISTENCE THAN THIS WILL ONLY EMERGE AFTER INFORMAL SOUNDINGS HAVE BEEN TAKEN OF THE EASTERN EUROPEAN COUNTRIES.

4. IT IS TO BE HOPED THAT THOSE COUNTRIES MEMBER OF GROUP (B) AND NOT OF GROUP (A) WILL BECOME MEMBERS OF GROUP (A).

5. ANY FULL MEETING OF GROUP (A) COULD BE PRECEDED BY CONSULTATION AMONG THE MEMBERS OF GROUP (B).

6. SOME DELEGATIONS FELT THAT, WHILE THE ZANGGER COMMITTEE HAD COMPLETED ITS TASK, THERE WERE OTHER MATTERS WHICH NEEDED ATTENTION FROM IT OR FROM SOME SIMILAR GROUP. UNQUOTE.

12. AFTER AGREEMENT ON FOREGOING TEXT,BELGIUM REP, PRESUMABLY
PROMPTED BY IAEA SECRETARIAT'S DIFFICULTIES IN NEGOTIATING SAFE-
GUARDS AGREEMENT WITH ARGENTINA, STATED HIS GOVERNMENT HAD PARTIC-
ULAR INTERST IN FINDING SUITABLE FORMULATION FOR SAFEGUARDS AGREE-
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MENTS CALLED FOR BY ARTICLE III.2 OF NPT, WITH OBJECTIVE THAT
ALL SUCH AGREEMENTS BE UNIFORM. JACKSON, UK, SUGGESTED THAT
NEW GROUP (GROUP (A) IN FOREGOING TEXT) COULD DEAL WITH SUBJECT
IN DUE COURSE.

13. FOR US MISSION BERLIN: BACKGROUND INFORMATION, TEXTS OF
NOTE AND ACCOMPANYING MEMORANDA TO BE SENT TO GDR, UPON INSTRUCC-
TIONS FROM DEPT, BEING POUCHED. PORTER

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